

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

CIVIL ACTION

George Logue

Plaintiff

v.

Taunton State Hospital, et al.

Defendants

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CASE NO 04-10272 - GAO
PLAINTIFF'S AFFIDAVIT 1

OPPOSITION OF PLAINTIFF TO DEFENDANT'S
TAUNTON STATE HOSPITAL MOTION TO DISMISS

Pursuant to Federal Rules of Civil Procedure 12(b), plaintiff submits, to this Honorable Court this Opposition to Defendant Taunton State Hospital, under the Commonwealth's Executive Office of Health and Human Services (collectively, the "defendants") and their motion where he opposes any suggestion that the complaint be dismissed before it receives its fair due process of review or before any discovery is permitted in which evidentiary materials shall be gathered. Plaintiff submits this Opposition to the motion to dismiss along with the accompanying Memorandum of Law, that includes reasons as to why defendant's motion should not be granted..

WHEREFORE, plaintiff requests that this Honorable Court not dismiss the complaint and instead permit it to receive fair and equitable consideration of each of the allegations generally brought forth, and at least until such time as the complaint may be amended with discovery's assistance to specifically name the individual defendants.

Respectfully submitted,

June 7, 2005
Date

